

Maine Revised Statutes
Title 22: HEALTH AND WELFARE
Chapter 1054-A: ADDITIONAL SUPPORT FOR PEOPLE IN RETRAINING
AND EDUCATION PROGRAM HEADING: PL 1987, c. 856, §7 (new)

§3785. SANCTIONS

An individual may not be sanctioned under this program or Temporary Assistance for Needy Families for failure to participate in the ASPIRE-TANF program if that failure to participate is based on good cause. Each individual participating in an ASPIRE-TANF orientation must receive written and oral notice of what constitutes good cause for nonparticipation in ASPIRE-TANF including the domestic violence exception. Good cause for failure to participate in this program must be found when there is reasonable and verifiable evidence of: [1997, c. 530, Pt. A, §20 (AMD).]

1. Illness or incapacitation. The individual's illness, incapacity or advanced age, or the illness or incapacity of a household member, that requires the individual to provide care in the home;

[1993, c. 385, §18 (AMD) .]

2. Sexual harassment. Sexual harassment at a program-approved component;

[1993, c. 385, §18 (AMD) .]

3. Court-required appearance; incarceration. Court-required appearance or incarceration;

[1987, c. 856, §7 (NEW) .]

4. Lack of supportive services. Lack or breakdown of necessary supportive services such as child care or transportation with no appropriate alternatives available;

[1993, c. 385, §18 (AMD) .]

5. Inclement weather. Inclement weather that prevents the individual from traveling to an activity when the weather is severe enough to prevent other individuals from traveling to the same activity;

[1993, c. 385, §18 (AMD) .]

6. Assignment to another activity. Assignment by the department to an activity or component that has not been made part of the family contract;

[1997, c. 530, Pt. A, §21 (AMD) .]

7. Remoteness. Participation that requires the individual to travel outside the individual's immediate geographic area, defined as an area within a 2-hour round trip commute;

[1993, c. 385, §18 (AMD) .]

8. Crisis or special circumstance. A crisis or special circumstance that causes an individual to be absent from or discontinue a department activity about which the department has been advised and has determined to constitute good cause;

[1997, c. 530, Pt. A, §22 (AMD) .]

9. Good cause.

[1989, c. 839, §8 (RP) .]

10. Caretakers of children under 6 years of age.

[1995, c. 418, Pt. A, §28 (RP) .]

11. Net loss of cash income.

[1995, c. 418, Pt. A, §28 (RP) .]

12. Other good cause. Any other reason resulting in failure to participate that is beyond the control of the individual or that a reasonable person would determine to be good cause; or

[1997, c. 530, Pt. A, §23 (AMD) .]

13. Domestic violence. Inability to participate due to domestic violence when the individual is unable to participate because of physical injuries or the psychological effects of abuse; because of legal proceedings, counseling or other activities related to abuse; because the abuser actively interferes with the individual's participation; because the location puts the individual at risk; or for other good cause related to domestic violence. For the purposes of this subsection, reasonable and verifiable evidence may include but is not limited to the following:

A. Court, medical, law enforcement, child protective, social services, psychological or other records that establish that the individual has been a victim of domestic violence; or [1997, c. 530, Pt. A, §24 (NEW) .]

B. Sworn statements from persons other than the individual with knowledge of the circumstances affecting the individual. [1997, c. 530, Pt. A, §24 (NEW) .]

[1997, c. 530, Pt. A, §24 (NEW) .]

SECTION HISTORY

1987, c. 856, §7 (NEW). 1989, c. 839, §§6-9 (AMD). 1991, c. 528, §F12 (AMD). 1991, c. 528, §RRR (AFF). 1991, c. 591, §F12 (AMD). 1993, c. 385, §18 (AMD). 1995, c. 418, §§A27,28 (AMD). 1997, c. 530, §§A20-24 (AMD) .

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